

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 4:07CR494-002
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	
RICARDO M. MOYA,)	MEMORANDUM OPINION
)	AND ORDER
DEFENDANT.)	
)	

This matter is before the Court upon Magistrate Judge George J. Limbert's Report and Recommendation that the Court ACCEPT Defendant Ricardo M. Moya's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 67.)

On September 25, 2007, the government filed an Indictment against Defendant. (Dkt. # 10.) On August 19, 2008, the Court issued an order referring this case to Magistrate Judge Limbert for the purpose of receiving Defendant's guilty plea. (Dkt. # 64.)

On August 19, 2008, a hearing was held in which Defendant entered a plea of guilty to Counts 1–4 of the indictment—i.e., (1) that Defendant did unlawfully, knowingly, and intentionally combine, conspire, confederate and agree to possess with intent to distribute approximately 61 kilograms of cocaine hydrochloride, and

approximately 110 pounds of marijuana, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A), (b)(1)(D), and 846; (2) that Defendant did knowingly and intentionally possess with intent to distribute 2 kilograms of a mixture or substance containing a detectable amount of cocaine hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B) and 18 U.S.C. § 2; (3) that Defendant did knowingly and intentionally possess with intent to distribute 86 pounds of marijuana, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C) and 18 U.S.C. § 2; and (4) that Defendant did knowingly and intentionally possess with intent to distribute 18 pounds of marijuana, in violation of 21 U.S.C §§ 841(a)(1), (b)(1)(D) and 18 U.S.C. § 2.

Magistrate Judge Limbert received Defendant's guilty plea and issued a Report and Recommendation, recommending that the Court accept the plea and enter a finding of guilty. (Dkt. # 67.) Neither party objected to the Magistrate Judge's Report and Recommendation in the ten days after it was issued.

On *de novo* review of the record, the Magistrate Judge's Report and Recommendation is adopted. The Defendant was found to be competent to enter a plea. The Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. The Defendant's plea of guilty is approved.

Therefore, the Defendant is adjudged guilty of Counts 1–4.

IT IS SO ORDERED.

/s/ Peter C. Economus - November 4, 2008
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE